

Matter No 27  
Thornbury  
13<sup>th</sup> July 2012  
Atherton Family Trust (4058049)  
(DLP Planning Ltd)

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## **SOUTH GLOUCESTERSHIRE CORE STRATEGY EXAMINATION**

### **PRE-HEARING STATEMENT**

#### **MATTER 27: THORNBURY – POLICIES CS32 & CS33**

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***Issue 1: Concerns have been raised regarding both the consultation process and the sustainability appraisal. What evidence is there to show the Council has failed to comply with the either legislative or regulatory requirements in connection with these processes?***

1. Our concerns with the consultation process and the sustainability appraisal are not that the Council failed to comply with the legislation or the appropriate regulations, but with the way the conclusions from these were drawn (see below).

***Issue 2: A number of respondents say the Council's aim to retain and improve services, facilities and employment in Thornbury is not supported by the evidence. What information has the Council relied upon in reaching its conclusions on the need for and the scale of development appropriate for the town?***

2. Not Addressed

***Issue 3: In relation to proposals for development at Park Farm a number of potential constraints have been identified. These include heritage and archaeological assets, wildlife and agricultural land quality as well as concerns with flooding, the loss of open space and access issues. How far have these factors been taken into account in identifying this location as the Council's preferred choice?***

3. Not Addressed

***Issue 4: Do alternative sites in the Thornbury area particularly to the east and south have advantages over the Park Farm location and, if so, what are these?***

4. Land to the south of Thornbury Town Centre and north of the Thornbury Leisure Centre provides the most sustainable location for development outside the existing settlement boundary. It lies within easy walking distance of the town centre and all the other day-to-day service-needs future residents would require close at hand. The site is 'land-locked' by residential development, the Leisure Centre, allotments and golf course and as such is incapable of viable agricultural use in conjunction with any adjoining land. Access is already in place and the land is in the single ownership of a party

willing to see it come forward for development. It is, therefore, genuinely deliverable at any stage in the plan period.

5. The Council's choice of Park Farm as a 'Housing Opportunity Area of Search' appears to have followed on from the Community Engagement Workshop held in October 2009. For the purposes of that Workshop the Council indicated six possible sites/locations for accommodating future employment and residential development around Thornbury (Copy Attached at Appendix 1). These varied in size from Area 5 adjacent the Council Offices on Kington Lane with the stated potential to accommodate between 40 and 50 dwellings, to Area 3 southeast of Morton Way, with potential to accommodate up to 900 dwellings. Park Farm is identified as Option 6 and 500-600 houses adjacent Thornbury Castle. (Ref: SD7 Sustainability Appraisal Appendices March 2010 and December 2010 update – Appendix 11: Thornbury Options Appraisal Matrices.)
6. The Atherton Family Trust (AFT) owns 6 hectares of land situated to the west of the B4061 Bristol Road at the southern entrance to the town centre. This is labelled as Area 4 on the Council's 'Options for Growth Plan with the potential to accommodate between 90 and 100 dwellings (see Appendix 1). It is shown on the Plan as straddling the boundary of the town's Conservation Area, which is a little misleading as the 2.5 hectares (net) put forward for development by the AFT sits to the south of this boundary outside the Conservation Area.
7. The AFT (Area 4) is currently vacant but prior to the development of the neighbouring Golf Course it was used for grazing. It does on occasion accommodate travelling fairs on a temporary basis and it has also been occupied unlawfully by travellers without the owner's consent.
8. The land to the north of Area 4 is used for allotment gardens (The Dagg's Allotments) and public open space (Munday Playing Fields). Land to the west is laid out as a golf course; the access road to which passes through the southern part of the site. To the east and on the opposite side of Bristol Road, there are a number of large residential properties set back from the road on large plots. The site is set down and well screened from Bristol Road by a hedgerow marking its eastern boundary.
9. Land to the south is occupied by the town's leisure centre. This is labelled on Figure 13 of the CS but the extent of the development here is not shown as the site lies within the Green Belt.
10. Access to the site is already provided via the access road to the golf course which has the benefit of a right turning Lane on the B4061 Bristol Road.
11. The Council's own Options For Growth plan (Ref: Appendix 1) sums up the advantages of this site, unique among the options, as follows:
  - *Excellent access to the Town Centre shops, services and facilities*
  - *Excellent access to Midland Way employment*
  - *Excellent access to leisure centre*

12. No other Area is credited with having “excellent” access to anything, with the exception of Area 5 with respect only to the Town Centre, and Area 6 Park Farm with respect only to the Castle School.

13. The NPPF (Ref: Paragraph 17) continues the support previously spelt out in PPS1, PPS 3 and PPG 13 in steering new development towards the most sustainable locations which enable the fullest possible use to be made of walking, cycling and public transport. It also reminds local planning authorities to:

*“recognise that residential development can play an important role in ensuring the vitality of centres and to set out policies to encourage residential development on appropriate sites.”*

14. Indeed, as a matter of fact, Areas 4 and 5 are the only options which are located within convenient walking distances of all of the following:

- All town centre stores (food and non-food)
- The three main foci of employment: Midland Way, Town Centre and Council Offices (Castle Street)
- Primary School
- Secondary School
- GP and Dentist surgeries
- Other town centre services
- Leisure centre
- Playing fields and allotments
- Bus stops (which have the maximum level of service from Thornbury to employment destinations in the Bristol North Fringe and Bristol City Centre)
- Edge of centre food store (Tesco)

15. The close proximity of all of the above is such that there would be a reasonable expectation that many of the residents at these two sites would walk to all of the above. This would be in marked contrast to the greater reliance that any residents at Areas 1, 2, 3 and 6 would inevitable place on driving.

16. The AFT land (Area 4) is also unique among the options as being the only site not in agricultural use, and not capable of being used viably in conjunction with adjoining agricultural land; it being effectively land-locked by the Golf Course, allotments, the leisure centre and the rest of the town centre. It also has a suitable vehicular and pedestrian access in place and is in a single ownership and capable of delivery for development within the plan-period.

17. Insofar as the 'potential disadvantages' cited by the Council are concerned, there is no evidence whatsoever of any unacceptable flood-risk or of any 'special' ecological constraints nor any other ecological value for that matter that could not be adequately mitigated given the scope to leave some of the land adjacent the allotments (inside the boundary of the Conservation Area) undeveloped if that is deemed to be the only means by which the historic character of the town centre can be preserved.
18. Finally, we turn to the issue of Green Belt. Certainly, this is an existing 'policy constraint', though in common with every other option/Area considered, there would currently be a policy presumption against development outside the settlement boundary anywhere around Thornbury.
19. We say it is not sufficient for the Core Strategy to simply dismiss the option for development at Area 4, which we say is by far and away the most sustainable location, simply because the site currently lies within the Green Belt. Rather, and in consultation with all stakeholders, the first questions that should be asked in the process are: what would be the most sustainable option (or options) for accommodating future development around Thornbury; and what options would be likely to have the most beneficial effect in terms of the vitality of the town centre. If the most sustainable and beneficial option lies in the Green Belt, then consideration needs to be given to adjusting the Green Belt boundary in order to accommodate that development.
20. With the previous Government's abandonment of Structure Plans, and the immanent revocation of Regional Strategies, the responsibility for reviewing Green Belt in conjunction with examining long-term future development requirements now lies solely with the process of preparing the Core Strategy. This Council has patently failed to undertake a proper review of Green Belt which we say is now long overdue (Ref: Matter 6 Day 1). Our submissions on that failing and the consequent challenge to the soundness of the CS still stand and are not rehearsed here.
21. Insofar as the AFT land (Area 4) is concerned, we say that the site's position in relation to the rest of Thornbury, Alveston to the south, the Leisure Centre and its particular landscape context (Ref: the escarpment indicated on Figure 13 of the CS) are such that its release from the Green Belt would not compromise the legitimate purposes of the remainder of the Green Belt and should not therefore weigh unduly as a factor against its future allocation for development.
22. We also say that it is not sufficient for the Core Strategy to relegate any alternative or additional site allocations around Thornbury to a Sites and Places DPD, unless it is made absolutely clear in the CS that where justified, through the identification of the most sustainable options, a small scale non-strategic adjustments to the Green Belt boundary should be considered.
23. Insofar as the Sustainability Appraisal is concerned, we say that the 'major negative effect' attributed to the site's current Green Belt status, its position in the wider landscape and in relation to the Conservation Area is not justified (Ref: SD7 Sustainability Appraisal Appendices March 2010 and December 2010 update – Appendix 11: Thornbury Options Appraisal Matrices). The Appraisal confirms that most of the site (we would say the entirety of the smaller site we are promoting) *"is well screened from the approach to*

*Thornbury along the Bristol Road.*” Indeed, given the level of the site, set down and screened from the Bristol Road, its relationship to the Leisure Centre, its confinement to land outside the Conservation Area and its location relative to the wider landscape setting of the town centre and the escarpment to the south and west, we say that development here would be well assimilated and would have no material impact on the perception on the size of Thornbury from the west.

24. In summary, there is no evidence to support the Council’s initial reservations about ‘potential constraints’ to the development of the AFT land at Bristol Road (Area 4). Moreover, the site already benefits from a suitable vehicular and pedestrian access and is in a single ownership and capable of delivery for development within the plan-period. It is also the only site that is not capable of viable agricultural use in conjunction with adjoining land.
25. Crucially, this site (Area 4) is unique among all the Options identified by the Council in that it lies within walking distance of the town centre, all three main foci of employment, the leisure centre, schools and all the other day to day service-needs future residents would require close at hand, as well as lying on the bus route to Bristol, Cribbs Causeway and the North Fringe.

***Issue 5: Is Morton Way South a more sustainable location for housing purposes and/or are the constraints at this location a significant factor against the development?***

26. See above.

***Issue 6: Some respondents are concerned that no account has been taken of the impact of a new nuclear power station at Oldbury. How significant is this to the proposals for Thornbury?***

27. We note that the following question was asked under the heading of Matter 7 (Day 2 of the Examination) – Spatial Strategy, Location of Development (5): Is there sufficient flexibility in the CS to allow for change or for unforeseen events?
28. The provision of a new nuclear power station near Oldbury-on-Severn would not be “*an unforeseen event*” but a potential “*change*” that has been clearly signalled. The Council has known about the proposal for some time and the Government has identified the site as potentially suitable for the deployment of a new nuclear power station by the end of 2025 in the National Policy Statement for Nuclear Power Generation (EN-6) which was ‘designated’ for the purposes of the Planning Act 2008 in July 2011.
29. Chapter 18 of the CS as proposed to be changed (paragraph 18.5a) acknowledges that such a proposal is one of three Nationally Significant Infrastructure Projects in South Gloucestershire which are at the Pre-Planning Stage. The Council now proposes to show the site (approximately 150 hectares) on the Proposals Map and include two Policies; CS36 dealing generally with any Major Infrastructure Projects and CS37 specifically applying to Nuclear related development in the Oldbury area. These would both be used by the Council, *inter alia*, to inform its response to the Secretary of State for Energy and Climate Change who will be responsible for determining an application for a Development Consent Order (DCO) for the

new nuclear power station, and to determine any planning applications submitted to the Council for any associated/ancillary development not included within the DCO.

30. The Council's position on this, as set out at paragraph 15.4 of the CS, is that:

*“The potential development of a new nuclear power station at Oldbury would have a significant impact on Thornbury. However, as the principles or details of the project are yet to be confirmed, the strategy for Thornbury does not deal with the implications that might arise from the development.”*

31. This implies that once the principles or details of the project are confirmed, the strategy for Thornbury should deal with the implications that might arise, though the CS stops short of saying this.

32. Just to put this into perspective, paragraphs 18.20a and 18.22 of the CS, as proposed to be changed by the Council, refer to Horizon Nuclear Power Ltd's initial estimates that at the peak of construction, approximately 5,000 workers are expected on site, with 800 direct permanent jobs subsequently created.

33. We say that the CS should specifically acknowledge the need to review the strategy for Thornbury in the event that the *“principles”* of the project are confirmed. The trigger for this, at the very latest, would, as we see it, be the issuing of a DCO by the Secretary of State for the deployment of a new nuclear power station near Oldbury.

# Designing our Communities

## THORBURY OPTIONS FOR GROWTH

### AREA 6. Potential Growth 500—600 houses

#### Advantages:

Reasonable access to the High Street (10 minute walking distance).  
Excellent access to Castle secondary school and Manor Brook and St Mary's primary schools.  
Not in Green Belt, so no revision to Green Belt boundary necessary.  
Development may help to realise aspirations of the Castle School.

#### Disadvantages:

Potential Flooding/drainage issues need to be investigated.  
Potential impact on nearby Conservation Area and historic character of Thornbury Castle and listed buildings.

### AREA 5. Potential Growth 40—50 houses

#### Advantages:

Excellent access to the High Street shops and services.  
Relatively little ecological interest compared to other areas.

#### Disadvantages:

In Green Belt.  
Potential impact on landscape and historic character.  
Potential Flooding/drainage issues need to be investigated.  
Area currently used by walkers and as a route to the Mundy playing fields

### AREA 1. Potential Growth 350—400 houses.

#### Advantages:

Not in Green Belt - no revision to Green Belt boundary necessary.  
Less harm to important landscapes.  
Less impact on historic character.  
Subways already installed under Morton Way to enable pedestrian access.  
Good access to primary school and Primrose Drive newsagent/ convenience store

#### Disadvantages:

No existing services within five minute walking distance (except children's play equipment).  
Town centre not within convenient walking distance (20 minutes minimum walking time).  
Close proximity of A38 may encourage car use.  
Breaches Morton Way 'boundary'.  
No statutory biodiversity designations, however national priority species are present in parts of the area.

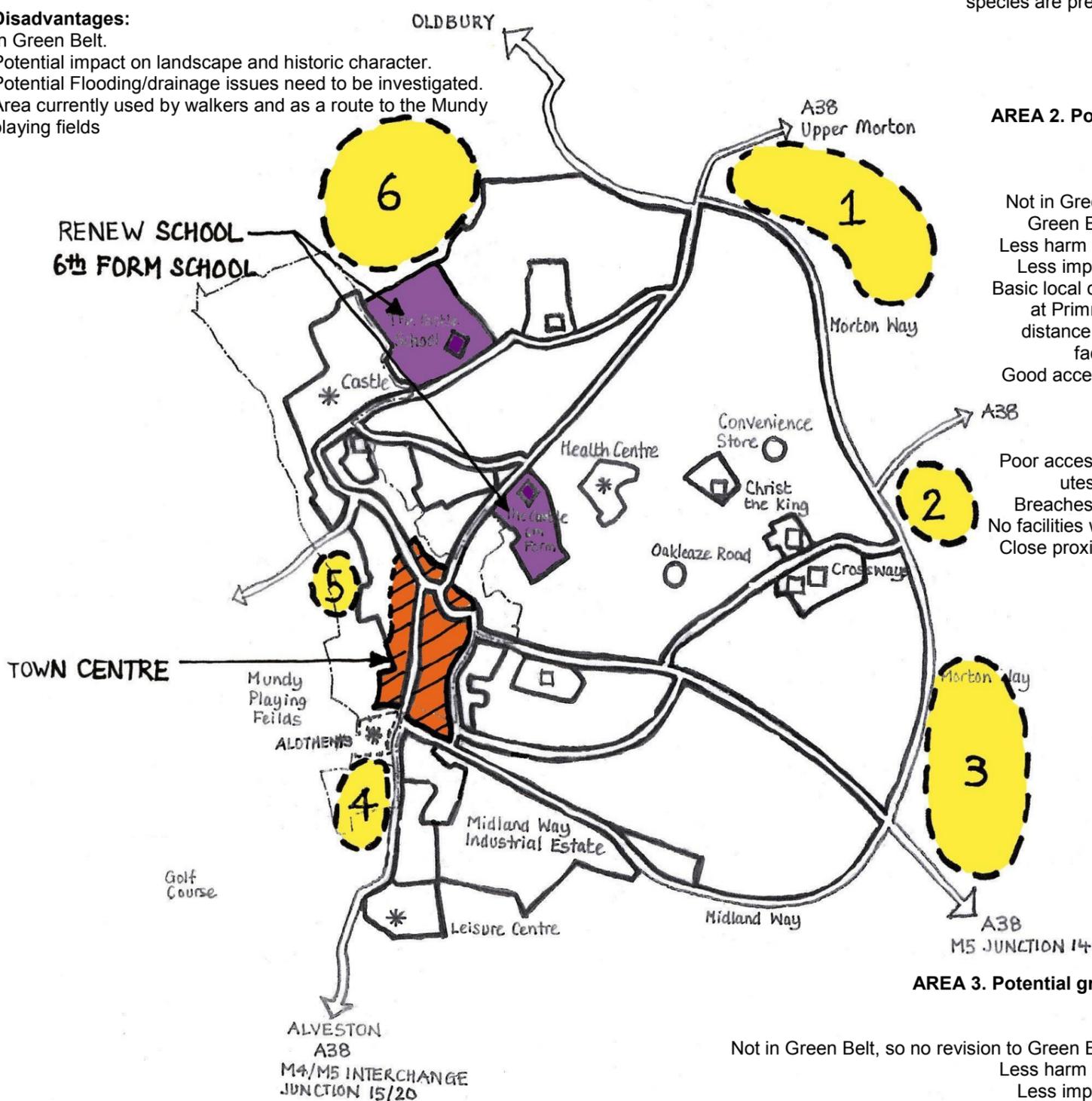
### AREA 2. Potential Growth 90—110 houses

#### Advantages:

Not in Green Belt, so no revision to Green Belt boundary necessary.  
Less harm to important landscapes.  
Less impact on historic character.  
Basic local centre/convenience store at Primrose Drive within walking distance, however this is the only facility within that distance.  
Good access to Crossways primary school

#### Disadvantages:

Poor access to High Street (20 minutes minimum walking time).  
Breaches Morton Way 'boundary'.  
No facilities within a five minute walk.  
Close proximity of A38 may encourage car use.



### AREA 3. Potential growth 750—900 houses

#### Advantages:

Not in Green Belt, so no revision to Green Belt boundary necessary.  
Less harm to important landscapes.  
Less impact on historic character.  
Primrose Drive convenience store within 15-20 minute walking distance, however this is the only facility within that distance.

#### Disadvantages:

Poor access to High Street (20 minutes minimum walking time).  
Breaches Morton Way 'boundary'.  
Area contains two Sites of Nature Conservation Interest (SNCI), ponds and hedgerows of interest to wildlife.  
No facilities within a five minute walk.  
Poor access to Castle School and health centre.  
Close proximity of A38 may encourage car use

### AREA 4. Potential Growth 90—100 houses

#### Advantages:

Excellent access to the Town centre shops, services and facilities.  
Excellent access to Midland Way employment.  
Excellent access to leisure centre.

#### Disadvantages:

In Green Belt.  
Potential Flooding/drainage issues need to be investigated.  
Ecological habitats of interest; mitigation would be required.  
Potential impact on landscape and historic character.

Thornbury Community Engagement Workshop. 20th October 2009